	INDIANA DEPARTMENT OF CHILD SERVICES TITLE IV-D POLICY MANUAL	
	Chapter 16: Intergovernmental Case Processing	Effective Date: 11/26/2019
	Section 4: Controlling Order	Version: 1 Revision Date: 11/26/2019

BACKGROUND

A purpose of the Uniform Interstate Family Support Act (UIFSA) is to have only one (1) order governing current support for each parent and child relationship. That order is called the controlling order.

POLICY

Before taking action to establish a new order, the Title IV-D Prosecutor is strongly encouraged to verify that no other orders exist for the child and parties. If multiple orders are identified, an Indiana court with personal jurisdiction over the parties will determine which order is controlling and the total amount of consolidated arrears including any accrued interest.¹

REFERENCES

- [IC 31-18.5-2-7](#): Determination of controlling child support order
- [45 C.F.R. § 303.7](#): Provision of services in intergovernmental IV-D cases

PROCEDURE

When opening a new case, the Title IV-D Prosecutor searches Query Interstate Cases for Kids (QUICK), the Federal Case Registry (FCR), and the statewide child support system to determine if any other orders exist.² If there is a question about whether an order was entered in another state, an inquiry can be made directly to that state or the FCR to determine the status of any order.

Registering another state's order does not make the registered order the controlling order.

If only one (1) tribunal has issued a child support order, the order issued by that tribunal is the controlling order and must be recognized.³

If there are multiple support orders, an Indiana court with personal jurisdiction over both parties must determine the controlling order using the following rules:

1. If only one (1) tribunal has continuing, exclusive jurisdiction (CEJ), the child support order of the tribunal with CEJ is the controlling order and must be recognized.⁴

¹ IC 31-18.5-2-7

² 45 C.F.R. § 303.7(c)(1)

³ IC 31-18.5-2-7(a)

⁴ IC 31-18.5-2-7(b)(1)

2. If more than one (1) tribunal has CEJ, the child support order issued by the tribunal in the current home state of the child must be recognized.⁵
3. If more than one (1) tribunal has CEJ and the current home state of the child has not issued a child support order, the most recently issued order must be recognized.⁶
4. If more than one (1) tribunal has issued a child support order and none of the tribunals have CEJ, the Indiana court shall issue a child support order that is controlling and must be recognized.⁷

When the Indiana court determines the controlling order or issues a new controlling order, the order shall state:

1. The basis for the determination of the controlling order;⁸
2. The amount of prospective child support;⁹ and
3. The total amount of consolidated arrears and accrued interest when interest was ordered as part of the child support order.¹⁰

Within 30 days after the Indiana court determines the controlling order, the party who obtained the order shall file a certified copy of the order in each tribunal that has issued or registered an earlier order.¹¹

FORMS AND TOOLS

1. [Controlling Order Desktop Guide](#)
2. [OCSE Arrears Reconciliation Calculator](#)
3. Tool for Determining the Controlling Order

⁵ IC 31-8.5-2-7(b)(2)(A)

⁶ IC 31-8.5-2-7(b)(2)(B)

⁷ IC 31-18.5-2-7(b)(3)

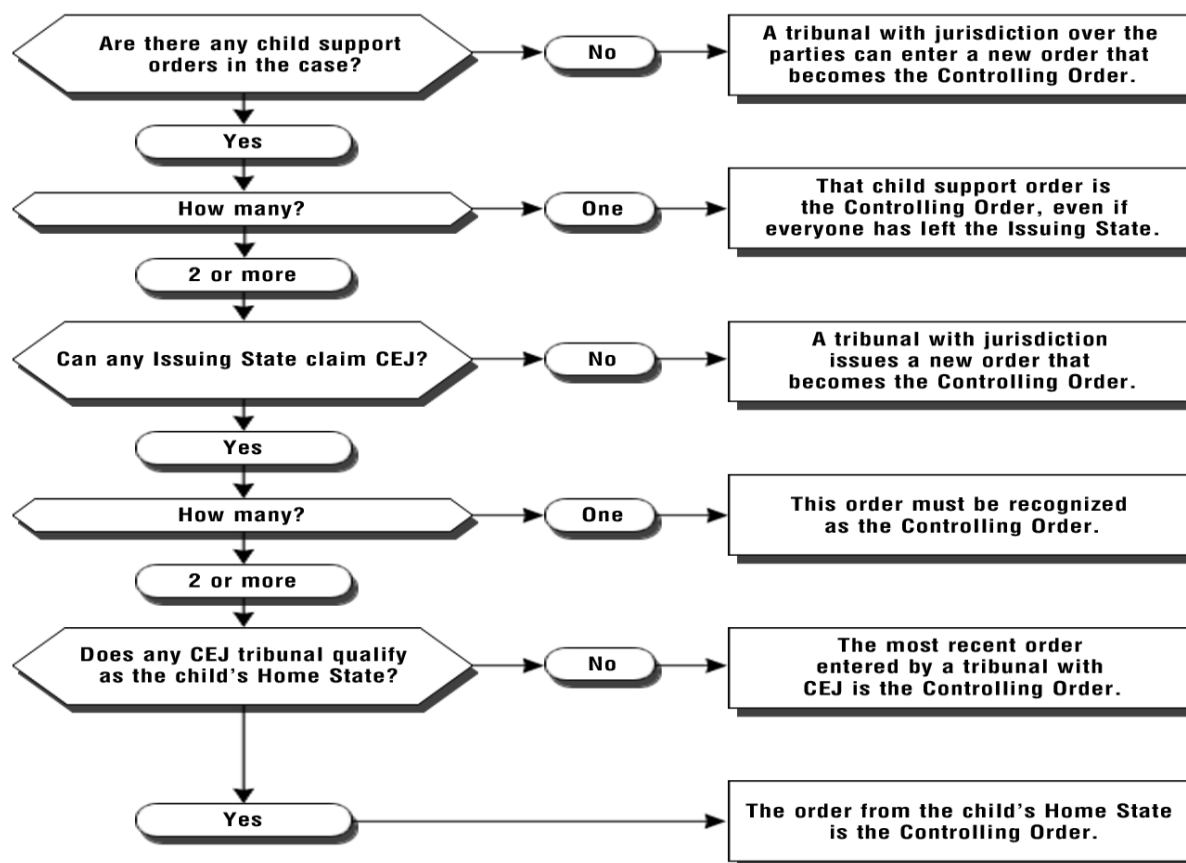
⁸ IC 31-18.5-2-7(f)(1)

⁹ IC 31-18.5-2-7(f)(2)

¹⁰ IC 31-18.5-2-7(f)(3); For assistance in calculating the arrears when there has been multiple orders, see the OCSE Arrears Reconciliation Calculator listed in Forms and Tools.

¹¹ 45 C.F.R. § 303.7(d)(5)(ii); IC 31-18.5-2-7(g)

The DCO Decision Tree



FREQUENTLY ASKED QUESTIONS

N/A

RELATED INFORMATION

Chapter 16: Intergovernmental Case Processing, Section 9: Determining Continuing, Exclusive Jurisdiction (CEJ) and Modification of Support Orders